



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do NOT use for expedited rule making

Agency: Department of Agriculture

Subject of possible rule making: Amend WAC 16-414-005 by including Rainier Cherries or other light sweet cherry varieties under the "Mature" soluble solids requirements. Amend WAC 16-414-011 thereby including size requirements for the Rainier Cherry or other light sweet cherry varieties, and amend WAC 16-461-010 which will require Rainier or other light sweet cherry varieties to meet chapter WAC 16-414-05 "Mature" and chapter WAC 16-414-011(3) size requirements. Eliminate the container requirements (WAC 16-414-085) for shipping sweet cherries.

Statutes authorizing the agency to adopt rules on this subject: Chapter 15.17 RCW Standards of Grades and Packs and 34.05 RCW Administrative Procedures Act.

Reasons why rules on this subject may be needed and what they might accomplish: These amendments will bring the Rainier Cherry and other light sweet cherry varieties under state requirements for soluble solids "Mature" and establish a size requirement which is currently required under Federal Marketing Order 923. Removing the container requirements will allow growers/packers and shippers to pack and market various types of containers that may be requested or required by buyers and the consuming public.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

United States Department of Agriculture Marketing Order 923. The Fruit & Vegetable Inspection Program will provide USDA with copies of any proposed rule amendments for their review and comment.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) In response to a request from the Washington State Horticulture Association, WSDA staff will develop the rule proposal. In turn, industry representatives will review and comment on the proposed rule amendments. Interested parties can participate in the public hearing/public comment process, the dates of which will be announced when the Department files the rule proposal with the Code Reviser.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE
March 1, 2006

NAME (TYPE OR PRINT)

Robert W. Gore

SIGNATURE

TITLE
Assistant Director

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